

**EQC ENFORCEMENT REPORT  
BOARD OF HEALTH AND ENVIRONMENTAL CONTROL  
APRIL 15, 2004**

**BUREAU OF LAND AND WASTE MANAGEMENT**

**Solid Waste Enforcement**

- 1)     Order Type and Number:                     Consent Order 03-36-SW  
          Order Date:                                 January 7, 2004  
          Respondent:                                **Town of Timmons ville**  
          Facility:                                    Town of Timmons ville Land-  
  Clearing Debris and Yard Trash  
  Landfill  
  
          Location/Mailing Address:             PO Box 447  
  Timmons ville, S.C. 29161  
  
          County:   Florence  
          Previous Orders:                             None  
          Permit/ID Number:                       211003-1701  
          Violations Cited:                        South Carolina Solid Waste Policy  
  and Management Act of 1991 (2002), Construction, Demolition and Land-  
  Clearing Debris Landfills, 25A S.C. Code Ann. Reg. 61-107.11, Part II.C.  
  (Supp. 2002)

Summary: The Town of Timmons ville (Respondent), located in Florence County, South Carolina, owns and operates the Town of Timmons ville Land-Clearing Debris and Yard Trash Landfill (Landfill). The Respondent has violated the Solid Waste Policy and Management Act and the Construction, Demolition and Land-Clearing Debris Landfills Regulation for failure to submit an annual report for the 2002-2003 fiscal period.

Action: The Respondent has agreed to forward to the Department an annual report for the Landfill within thirty (30) days of the Respondent's receipt of a copy of the fully executed Order; and pay a civil penalty in the amount of five hundred dollars (**\$500.00**). The penalty has been paid, and the annual report has been submitted.

- 2)     Order Type and Number:                     Consent Order 03-37-SW  
          Order Date:                                 January 7, 2004  
          Respondent:                                **North Myrtle Beach Composting  
  Facility, L.L.C.**  
          Facility:                                    North Myrtle Beach Composting  
  Facility, L.L.C.  
  
          Location/Mailing Address:             3700 Livingston Circle  
  Little River, S.C. 29566  
  
          County:   Horry

Previous Orders: 03-30-SW (\$5,400)  
Permit/ID Number: 262666-3001  
Violations Cited: South Carolina Solid Waste Policy and Management Act of 1991 (2002), Yard Trash and Land-Clearing Debris; and Compost Regulation, 25A S.C. Ann. Reg. 61-1047.4.F.12.b (Supp. 2002)

Summary: North Myrtle Beach Composting Facility, L.L.C. (Respondent), located in Little River, South Carolina, owns and is responsible for a wood chipping/ composting facility. The Respondent has violated the South Carolina Solid Waste Policy and Management Act and the Yard Trash and Land-Clearing Debris; and Compost Regulation for failure to submit an annual report for the 2002-2003 fiscal period.

Action: The Respondent has agreed to forward to the Department an annual report for the Landfill within thirty (30) days of the Respondent's receipt of a copy of the fully executed Order; and pay a civil penalty in the amount of five hundred dollars **(\$500.00)**. The Respondent has submitted a copy of the annual report for the 2002-2003 fiscal period.

3) Order Type and Number: Consent Order 03-38-SW  
Order Date: January 2, 2004  
Respondent: **Warren M. Lee**  
Facility: Lee County Compost & Recycling  
Location/Mailing Address: 537 Egypt Road  
Camden, S.C. 29020  
County: Lee  
Previous Orders: None  
Permit/ID Number: 312640-2001  
Violations Cited: South Carolina Solid Waste Policy and Management Act of 1991 (2002), Solid Waste Processing Facilities Regulation, 25A S.C. Code Ann. Reg. 61-107.6.F.2.b. (Supp.2003).

Summary: Mr. Warren M. Lee (Respondent) owns and operates Lee County C&D Waste Processing Facility located in Camden, South Carolina (Site). The Respondent has violated the South Carolina Solid Waste Policy and Management Act of 1991 and the Solid Waste Processing Facilities Regulation by failure to submit the fiscal year (FY) annual report due on October 15, 2003.

Action: The Respondent has agreed to send in its FY 2003 annual report and pay a civil penalty in the amount of five hundred dollars **(\$500.00)**. The facility's FY 2003 annual report and civil penalty were received on February 12, 2004.

- 4)     Order Type and Number:                     Consent Order 04-01-SW  
          Order Date:                                 February 04, 2004  
          Respondent:                                **Southeastern Soil Recovery, Inc.**  
          Facility:                                    Southeastern Soil Recovery, Inc.  
          Location/Mailing Address:             1929 Patterson Plant Road/  
  4991 Banco Road  
  Charleston, S.C. 29418  
  
          County:                                     Laurens  
          Previous Orders:                         00-082-A (\$11,000.00); 99-089-A  
  (\$5,000)  
          Permit/ID Number:                     302715-8001  
          Violations Cited:                     South Carolina Solid Waste Policy  
  and Management Act of 1991 (2002), the Solid Waste Management: Off-  
  site Treatment of Contaminated Soil Regulation, 25A S.C. Code Ann.  
  Reg. 61-107.18.C.1., Reg. 61-107.18.C.2., Reg. 61-107.18.E.2.b.(2)(a),  
  Reg. 61-107.18.E.2.b.(2)(b), Reg. 61-107.18.E.2.c.(10), Reg. 61-  
  107.18.F.1.a., Reg. 61-107.18.G.3. (Supp. 2002), Off-Site Contaminated  
  Soil Treatment Permit # 302715-8001, Special Permit Condition A.1., and  
  Special Permit Condition A.9.

Summary: Southeastern Soil Recovery, Inc. (SSR, Inc.), located in Laurens County, South Carolina, owns and operates an off-site contaminated soil treatment facility. SSR, Inc. has violated Permit # 302715-8001 and the Off-site Treatment of Contaminated Soil Regulation as follows: SSR, Inc. failed to construct and operate its off-site contaminated soil treatment facility in accordance with its permit and regulatory requirements. This failure impacts the Department's ability to determine and evaluate potential adverse outcomes resulting from the SSR, Inc.'s current design and operation. SSR, Inc. also failed to properly store soils in various stages of treatment and provide written verification of data to both the Department and the end-user of said treated soils.

Action: SSR, Inc. agreed to submit, and have approved by the Department, a request for permit modification to address the facility as built; and pay a civil penalty in the amount of fourteen thousand dollars (**\$14,000.00**). SSR, Inc. has paid the civil penalty in full.

- 5)     Order Type and Number:                     Consent Order 04-02-SW  
          Order Date:                                 February 04, 2004  
          Respondent:                                **Larry G. Sligh**  
          Facility:                                    Sligh Properties Land-Clearing  
  Debris and Yard Trash Landfill  
          Location/Mailing Address:             4884 Sunset Blvd  
  Lexington, S.C. 29072  
  
          County:                                     Lexington  
          Previous Orders:                         None  
          Permit/ID Number:                     322470-1701

Violations Cited: South Carolina Solid Waste Policy and Management Act of 1991 (2002), Construction, Demolition and Land-Clearing Debris Landfills, 25A S.C. Code Ann. Reg. 61-107.11, Part II.C. (Supp. 2002)

Summary: Mr. Larry G. Sligh (Respondent) owns and operates the Sligh Properties Land-Clearing Debris and Yard Trash Landfill (Landfill), located in Lexington, South Carolina. The Respondent has violated the Solid Waste Policy and Management Act and the Construction, Demolition and Land-Clearing Debris Landfills Regulation for failure to submit an accurate annual report for the 2002-2003 fiscal period by the October 15<sup>th</sup> deadline.

Action: The Respondent agreed to submit a corrected copy of the Annual Report for the 2002-2003 fiscal period and agreed to pay a civil penalty in the amount of five hundred dollars (**\$500.00**). The penalty has been paid in full.

6) Order Type and Number: Consent Order 04-03-SW  
Order Date: February 3, 2004  
Respondent: **Miller Construction Co. Site #5, Roger J. Slaton Site Land-Clearing Debris & Yard Trash Landfill**  
Facility: Same As Above  
Location/Mailing Address: 225 Thompson Road  
Anderson, SC 29624  
County: Anderson  
Previous Orders: None  
Permit/ID Number: 042689-1702  
Violations Cited: South Carolina Solid Waste Policy and Management Act of 1991 (2002), Construction, Demolition and Land-Clearing Debris Landfills Regulation, 25A S.C. Code Ann. Reg. 61-107.11, Part II, C. (Supp.2003), Permit #042689-1702.

Summary: Mr. Mike Miller (Respondent) owns and operates Miller Construction Co. Site #5, Roger J. Slaton Site Land-Clearing Debris and Yard Trash Landfill located in Anderson, South Carolina. The Respondent has violated the South Carolina Solid Waste Policy and Management Act of 1991, the Construction, Demolition and Land-Clearing Debris Landfills Regulation, and its Permit by failure to submit the fiscal year (FY) annual report due on October 15, 2003.

Action: The Respondent has agreed to send in its FY 2003 annual report and pay a civil penalty in the amount of five hundred dollars (**\$500.00**). The annual report and civil penalty payment for the full amount was received on February 23, 2004.

7) Order Type and Number: Consent Order 04-04-SW

Order Date: February 4, 2004  
Respondent: **Southeastern Research & Recovery, Inc. Solid Waste Processing Facility**  
Facility: Same As Above  
Location/Mailing Address: 180 Broadway Street, Ehrhardt, SC 29081  
County: Bamberg  
Previous Orders: None  
Permit/ID Number: 052632-2001  
Violations Cited: South Carolina Solid Waste Policy and Management Act of 1991 (2002) and the Solid Waste Processing Facilities Regulation, 25A S.C. Code Ann. Reg. 61-107.6.F.2.b. (Supp.2003).

Summary: Southeastern Research & Recovery, Inc. (SRR) operates a solid waste processing facility located in Ehrhardt, South Carolina. SRR has violated the South Carolina Solid Waste Policy and Management Act of 1991 and the Solid Waste Processing Facilities Regulation by failure to submit the fiscal year (FY) annual report due on October 15, 2003.

Action: SRR has agreed to send in its FY 2003 annual report and pay a civil penalty in the amount of five hundred dollars (**\$500.00**).

#### **Underground Storage Tank Enforcement**

8) Order Type and Number: Consent Order 03-0218-UST  
Order Date: January 28, 2004  
Respondent: **Conoco Phillips Company**  
Facility: Conoco Phillips Company 2634293  
Location/Mailing Address: 7501 Two Notch Road  
Columbia, SC  
County: Richland County  
Previous Orders: None  
Permit/ID Number: 10555  
Violations Cited: UST Control Regulations R.61-92, §280.40(a); R.61-92, §280.34(b).

Summary: Conoco Phillips Company (Respondent), a national petroleum marketer, owns Conoco Phillips Company 2634293 located in Columbia, South Carolina. The Respondent has violated the South Carolina Underground Storage Tank Regulations as follows: failure to have an adequate release detection method and failure to supply records to the Department upon request.

Action: The Respondent has agreed to empty the waste oil tank to less than one inch of product, or submit tank tightness test results and proof the tank is being properly monitored for releases. If documentation is received within 30 days of the order date, the Department will **suspend** the civil penalty of six hundred dollars (\$600.00).

- 9)     Order Type and Number:                     Consent Order 04-0075-UST  
          Order Date:                                 February 11, 2004  
          Respondent:                                **Piedmont Petroleum Corporation**  
          Facility:                                    Corner Mart 1  
          Location/Mailing Address:             6035 E Wade Hampton Blvd.  
  Taylors, S.C. 29687-9803  
  
          County:                                     Greenville  
          Previous Orders:                         CO 00-0106-UST (\$100)  
          Permit/ID Number:                     04246  
          Violations Cited:                     UST Control Regulations, R.61-92,  
  §280.52, R.61-92, §280.34(c).

Summary: Piedmont Petroleum Corporation, (Respondent), located in Greenville, South Carolina, owns and operates underground storage tanks at 6035 E Wade Hampton Blvd, Taylors, SC. The Respondent has violated the South Carolina Underground Storage Tank Control Regulations as follows: failure to investigate and confirm a suspected release in a reasonable time period and failure to supply records to the Department upon request.

Action: The Respondent agreed to correct the violations and submit compliance documentation within 30 days. If the documentation is received as agreed, the Program will **suspend** the civil penalty of six hundred dollars (\$600.00).

- 10)    Order Type and Number:                     Administrative Order 03-4903-UST  
          Order Date:                                 December 19, 2003  
          Respondent:                                **Kingmart Convenience Stores, Inc.**  
          Facility:                                    Pitt Stop 35  
          Location/Mailing Address:             2020 Bluff Rd.  
  Columbia, S.C. 29201  
  
          County:                                     Richland  
          Previous Orders:                         AO 03-4701-UST (\$3,250)  
          Permit/ID Number:                     17775  
          Violations Cited:                     UST Control Regulations, R.61-92,  
  §280.65.

Summary: Kingmart Convenience Stores, Inc., located in Houston, Texas, owned and operated underground storage tanks located at 2020 Bluff Road in Columbia, SC when a release was reported in February 2002. The Respondent has violated the South Carolina Underground Storage Tank Control Regulations

as follows: failure to investigate and confirm a suspected release in a reasonable time period and failure to supply records to the Department upon request.

Action: The Department issued an Administrative Order with a civil penalty of four thousand three hundred ninety-five dollars (**\$4,395.00**) when it became clear that the owner/operator did not intend to enter into a Consent Order or come into compliance by submitting an assessment report. The Administrative Order was not appealed.

- 11)    Order Type and Number:                      Administrative Order 03-5157-UST  
         Order Date:                                        December 19, 2003  
         Respondent:                                        **Joan B. Spradley**  
         Facility:    Midland Valley Convenience Store  
         Location/Mailing Address:                      2009 Augusta Rd.  
            Warrentonville, S.C. 29851  
         County:    Aiken  
         Previous Orders:                                      02-ALJ-07-0357-CC (\$0)  
         Permit/ID Number:                                  15912  
         Violations Cited:                                  UST Control Regulations, R.61-92,  
            §280.65.

Summary: Joan B. Spradley (Respondent) owned and operated underground storage tanks located at 2009 Augusta Rd., Warrentonville, SC. The Respondent has violated the South Carolina Underground Storage Tank Control Regulations as follows: failure to investigate and confirm a suspected release in a reasonable time period and failure to supply records to the Department upon request.

Action: The Department issued an Administrative Order with a civil penalty of four thousand three hundred ninety-five dollars (**\$4,395.00**) when it became clear that the owner/operator did not intend to enter into a Consent Order or come into compliance by submitting an assessment report. The Administrative Order was not appealed.

- 12)    Order Type and Number:                      Administrative Order 03-4198-UST  
         Order Date:                                        February 1, 2004  
         Respondent:                                        **SEL Properties, LLC**  
         Facility:    Goodfella's  
         Location/Mailing Address:                      1410 Edgefield Street  
            Greenwood, SC 29646  
         County:    Greenwood  
         Previous Orders:                                      None  
         Permit/ID Number:                                  12678  
         Violations Cited:                                  UST Control Regulations, R.61-92,  
            §280.93(a), R.61-92, §280.20(d)(2), R.61-2, §280.70(b)(2), R.61-92,  
            §280.34(c).

Summary: SEL Properties, LLC owns underground storage tanks located at 1410 Edgefield Street, Greenwood, South Carolina. The Respondent has violated the South Carolina Underground Storage Tank Control Regulations as follows: failure to demonstrate financial responsibility, failure to equip tank(s) with a drop tube, failure to comply with temporary closure requirements, and failure to provide records to the Department upon request.

Action: The Department issued an Administrative Order with a civil penalty of six thousand dollars **(\$6,000.00)** when it became clear that the owner/operator did not intend to enter into a Consent Order or come into compliance by demonstrating financial responsibility and correcting the compliance violations. The Administrative Order was not appealed.

13) Order Type and Number: Administrative Order 03-4666-UST  
Order Date: February 1, 2004  
Respondent: **Rickey Faulkenberry**  
Facility: Mike's Transmission  
Location/Mailing Address: 401 N Pearl Street  
Pageland, SC 29728  
County: Chesterfield  
Previous Orders: None  
Permit/ID Number: 02219  
Violations Cited: UST Control Regulations, R.61-92,  
§280.65, R.61-92, §280.34(c).

Summary: Rickey Faulkenberry owned and operated underground storage tanks located at 401 N Pearl Street, Pageland, South Carolina. The Respondent has violated the South Carolina Underground Storage Tank Control Regulations as follows: failure to determine the full extent of a release in accordance with a schedule established by the Department and failure to provide records to the Department upon request.

Action: The Department issued an Administrative Order with a civil penalty of twenty seven thousand four hundred and seventy-three dollars **(\$27,473.00)** when it became clear that the owner/ operator did not intend to enter into a Consent Order or come into compliance by submitting an assessment report. The Administrative Order was not appealed.

14) Order Type and Number: Administrative Order 03-5089-UST  
Order Date: February 16, 2004  
Respondent: **Robert C. Smith, Jr.**  
Facility: Smitty's Country Store  
Location/Mailing Address: 2035 Main Street  
Silverstreet, SC 29145  
County: Newberry



<u>Previous Orders:</u>	AO 01-1309-UST (\$2,000)
<u>Permit/ID Number:</u>	06580
<u>Violations Cited:</u>	UST Control Regulations, R.61-92, §280.93(a), R.61-92, §280.34(c).

Summary: Robert C. Smith, Jr. owns and operates underground storage tanks located at 2035 Main Street, Silverstreet, South Carolina. The Respondent has violated the South Carolina Underground Storage Tank Control Regulations as follows: failure to demonstrate financial responsibility and failure to provide records to the Department upon request.

Action: The Department issued an Administrative Order with a civil penalty of three thousand four hundred and fifty dollars (**\$3,450.00**) when it became clear that the owner/operator did not intend to enter into a Consent Order or come into compliance by demonstrating financial responsibility. The Administrative Order was not appealed.

## **BUREAU OF WATER**

### **Drinking Water Enforcement**

15) <u>Order Type and Number:</u>	Administrative Order 03-137-DW
<u>Order Date:</u>	July 31, 2003
<u>Respondent:</u>	<b>Bruce A. Cook</b>
<u>Facility:</u>	N/A
<u>Location/Mailing Address:</u>	215 Bird Pond Road Reevesville, S.C. 29471
<u>Counties:</u>	Dorchester & Bamberg
<u>Previous Orders:</u>	01-220-DW (\$3750.00) 02-013-DW (\$4600.00)
<u>Permit/ID Number:</u>	N/A
<u>Violations Cited:</u>	S.C. Code Ann. Regs. 61-44(C)(1), S.C. Code Ann. Regs. 61-71(F)(2)(c), (F)(8), (F)(11)(a), and (F)(12)(a)

Summary: Bruce A. Cook (Respondent), is involved in the business of well drilling in the State of South Carolina. The Respondent has violated the South Carolina Individual Residential Well and Irrigation Well Permitting and South Carolina Well Standards and Regulations as follows: the Respondent was an uncertified well driller at the time he installed a combination of 14 residential and irrigation wells; improper construction of 11 of the 14 wells; and failure to submit well record forms for 7 of the 14 wells.

Action: The Respondent has been ordered to: cease the practice of installing wells until he obtains certification as a licensed well driller; within 15 days of the Order date, have all wells properly remediated; within 5 days of remediation of the wells, contact the Trident Environmental Quality Control District for a follow-up inspection; within 30 days of the Order date, submit six thousand seven hundred fifty dollars (\$6,750.00) in past due unpaid civil penalties; submit water well record forms for 7 wells; and pay a civil penalty in the amount of fifty thousand dollars (**\$50,000.00**). The Order was not appealed.

- 16)    Order Type and Number:                    Administrative Order 03-231-DW  
      Order Date:                                    December 4, 2003  
      Respondent:                                 **Robert Davis**  
      Facility:                                      Congaree Convenience Store  
      Location/Mailing Address:                8329 Bluff Road  
    Gadsden S.C. 29152  
      County:                                        Richland  
      Previous Orders:                            None  
      Permit/ID Number:                        4070949  
      Violations Cited:                         S.C. Code Ann. Regs. 61-  
    58.5(C)(2)(c), (G)(1), 61.58.6(E) and S.C. Code Ann. Regs. 61-30.G(2).

Summary: Congaree Convenience Store, located in Gadsden, South Carolina, sells food products and other miscellaneous items. The Respondent has violated the State Primary Drinking Water Regulations and the Environmental Protection Fees Regulation as follows: failure to monitor the system for nitrate during the 2001 and 2002 monitoring periods; failure to monitor for microbiological contaminants during the first, second, third, and fourth quarters of calendar years 2001 and 2002 and the first, second, and third quarters of 2003; failure to perform public notification for non-monitoring for nitrate and microbiological contaminants; and failure to submit the required fees for the public water system (PWS) for the 2001, 2002, 2003, and 2004 fiscal years.

Action: The Respondent has been ordered to: issue public notification to the employees and customers of Congaree Convenience Store for non-monitoring for nitrate and microbiological contaminants and to submit copies of the public notification to the Department; pay the balance of all outstanding drinking water fees in the amount of one thousand two hundred six dollars and twenty-six cents (\$1,206.26); and within 30 days of the Order date, pay a civil penalty in the amount of fifteen thousand dollars (**\$15,000.00**).

- 17)    Order Type and Number:                    Consent Order 04-001-DW  
      Order Date:                                    January 9, 2004  
      Respondent:                                 **Glen Dornoch, LLC**  
      Facility:                                      Glen Dornoch Waterway Golf Links  
      Location/Mailing Address:                P.O. Box 390  
    North Myrtle Beach, S.C. 29597

<u>County:</u>	Horry
<u>Previous Orders:</u>	None
<u>Permit/ID Number:</u>	26GC054
<u>Violations Cited:</u>	S.C. Code Ann. § 49-5-100(A) and 120(C)

Summary: Glen Dornoch, LLC (Respondent) located in North Myrtle Beach, South Carolina, owns and is responsible for the operation and maintenance of a permitted groundwater withdrawal system located within the Waccamaw Capacity Use designation area. The Respondent has violated the Groundwater Use and Reporting Act as follows: failure to obtain a Permit to Construct for new well construction and exceedance of its permitted groundwater withdrawal limits.

Action: The Respondent has agreed to: operate and maintain its groundwater wells in accordance with State regulations; and within 30 days of the Order date, pay a civil penalty in the amount of one thousand nine hundred sixty dollars (**\$1,960.00**). The penalty has been paid.

18) <u>Order Type and Number:</u>	Consent Order 04-004-DW
<u>Order Date:</u>	January 12, 2004
<u>Respondent:</u>	<b>Grady &amp; Louise Hinds</b>
<u>Facility:</u>	Village East Mobile Home Park PWS
<u>Location/Mailing Address:</u>	3639 East Palmetto Street Florence, S.C. 29501
<u>County:</u>	Florence
<u>Previous Orders:</u>	None
<u>Permit/ID Number:</u>	2160008
<u>Violations Cited:</u>	S.C. Code Ann. § 44-55-10

Summary: Grady and Louise Hinds (Respondents) own and are responsible for the proper operation and maintenance of a PWS located in Florence, South Carolina. The Respondents have violated the Safe Drinking Water Act and the State Primary Drinking Water Regulations as follows: failure to properly prepare, deliver, and certify Consumer Confidence Reports (CCRs); failure to monitor for nitrate; and failure to properly operate and maintain the PWS.

Action: The Respondents have agreed to: abide by all applicable State and Federal laws and regulations; within 10 days of the Order date, submit to the Department and customers of the PWS, all certification of delivery notices including public notification for non-monitoring of nitrate; within 30 days of the Order date, pay eight thousand two hundred fifty-six dollars and sixty cents (\$8,256.60) for delinquent fees; and give the Department written notification of intent to submit a corrective action plan (CAP) detailing procedures that will be taken to prevent the recurrence of the referenced violations and a schedule for

implementing these actions and pay a civil penalty of twelve thousand dollars (\$12,000.00); or transfer ownership of the PWS to a Department approved PWS. The twelve thousand dollars (\$12,000.00) associated with this option will be waived if the Respondent completes the components within a 30 day timeframe. The Respondent chose to submit a CAP and pay the twelve thousand dollar (\$12,000.00) civil penalty.

19)    Order Type and Number:                      Consent Order 04-005-DW  
       Order Date:                                      January 9, 2004  
       Respondent:                                     **Gaffney Board of Public Works**  
       Facility:                                         Gaffney PWS  
       Location/Mailing Address:                P.O. Box 64  
   Gaffney, S.C. 29342  
       County:                                         Cherokee  
       Previous Orders:                              98-091-W    (\$7,200);    01-202-DW  
   (\$850)  
       Permit/ID Number:                         1110001  
       Violations Cited:                            S.C. Code Ann. Regs. 61-58.5(P)(1)

Summary: Gaffney Board of Public Works (Respondent), located in Gaffney, South Carolina, owns and is responsible for the proper operation and maintenance of a PWS. The Respondent has violated the State Primary Drinking Water Regulations as follows: the PWS had running annual averages that exceeded the maximum contaminant level (MCL) of 0.060 mg/L for the five regulated haloacetic acids (HAA5) for the compliance periods of April - June 2003 and July - September 2003.

Action: The Respondent has agreed to: operate and maintain the PWS in accordance with applicable State and Federal laws and regulations; continue monthly monitoring of the formation of disinfection byproducts in the distribution system and submit a copy of the monitoring results to the Department every 30 days. The submission of results shall commence within 30 days of the Order date and end upon notification from the Department that the results are consistently below the MCL. The Respondent is also to submit a finalized plan to correct the referenced problem of MCL exceedance for HAA5 with a schedule for completion by April 30, 2004, and upon Department approval, the schedule shall become an enforceable part of this Order. A **stipulated** penalty of four thousand dollars (\$4,000.00) was assessed in the Order.

20)    Order Type and Number:                      Consent Order 04-008-DW  
       Order Date:                                      January 29, 2004  
       Respondent:                                     **Columbia Athletic Club, LP**  
       Facility:                                         Columbia Athletic Club  
       Location/Mailing Address:                4502 Forest Drive  
   Columbia, S.C. 20206  
       County:                                         Richland

<u>Previous Orders:</u>	None
<u>Permit/ID Number:</u>	40-167-D, 40-159-D, 40-215-B
<u>Violations Cited:</u>	S.C. Code Ann. Regs. 61-51(J) and (K)(1)(c)

Summary: Columbia Athletic Club, LP (Respondent), located in Columbia, South Carolina, is responsible for the proper operation and maintenance of a womans' spa, a mens' spa, and a swimming pool located at the Columbia Athletic Club. The Respondent has violated the Public Swimming Pools Regulation as follows: failure to properly operate and maintain the pool and spas; and failure to schedule a Department inspection of the pool and spas prior to reopening after Department closure.

Action: The Respondent has agreed to: properly operate and maintain its public swimming pool and spas in accordance with the Public Swimming Pools Regulation; and pay a five thousand one hundred ten dollar **(\$5,110.00)** civil penalty in quarterly payments. The first payment of the penalty has been received.

21)	<u>Order Type and Number:</u>	Consent Order 04-009-DW
	<u>Order Date:</u>	January 29, 2004
	<u>Respondent:</u>	<b>Gregory P. Shelton</b>
	<u>Facility:</u>	Shelton Fireworks
	<u>Location/Mailing Address:</u>	P.O. Box 249 Eagleville, M.O. 64442
	<u>County:</u>	Oconee
	<u>Previous Orders:</u>	None
	<u>Permit/ID Number:</u>	N/A
	<u>Violations Cited:</u>	S.C. Code Ann. Regs. 61-58.1(B)(1); and 61-58.1(K)(1)

Summary: Gregory P. Shelton (Respondent) d/b/a Shelton Fireworks, owns and is responsible for the operation of Shelton Fireworks, located in Fairplay, South Carolina. The Respondent has violated the State Primary Drinking Water Regulations as follows: failure to obtain a construction permit prior to installing a PWS water line and failure to obtain Department approval prior to placing the water line into operation.

Action: The Respondent has agreed to: conduct all current and future operations in accordance with all applicable State and Federal laws and regulations; and within 30 days of the Order date, pay a civil penalty in the amount of two thousand seven hundred dollars **(\$2,700.00)**.

22)	<u>Order Type and Number:</u>	Consent Order 04-011-DW
	<u>Order Date:</u>	January 29, 2004
	<u>Respondent:</u>	<b>City of North Augusta</b>
	<u>Facility:</u>	North Augusta PWS
	<u>Location/Mailing Address:</u>	P.O. Box 6400
		North Augusta, S.C. 29861
	<u>County:</u>	Aiken
	<u>Previous Orders:</u>	None
	<u>Permit/ID Number:</u>	0210003
	<u>Violations Cited:</u>	S.C. Code Ann. Regs. 61-58.5(P)(1)

Summary: The City of North Augusta (Respondent), located in North Augusta, South Carolina, owns and is responsible for the proper operation and maintenance of a PWS. The Respondent has violated the State Primary Drinking Water Regulations as follows: the PWS had running annual averages that exceeded the maximum contaminant level (MCL) of 0.060 mg/L for the five regulated haloacetic acids (HAA5) for the compliance periods of April - June 2003 and July - September 2003.

Action: The Respondent has agreed to: operate and maintain the PWS in accordance with applicable State and Federal laws and regulations; continue monthly monitoring of the formation of disinfection byproducts in the distribution system and submit a copy of the monitoring results every 30 days until notification from the Department that the results are consistently below the MCL; submit a finalized plan to correct the referenced PWS problem of MCL exceedance for HAA5 with a schedule for completion by March 1, 2004; which upon Department approval, shall become an enforceable part of this Order; and pay a **stipulated** penalty of four thousand dollars (**\$4,000.00**) if it fails to meet any deadline set forth for each requirement of this Consent Order.

23)	<u>Order Type and Number:</u>	Consent Order 04-012-DW
	<u>Order Date:</u>	February 10, 2004
	<u>Respondent:</u>	<b>Anchor Pools, Inc.</b>
	<u>Facility:</u>	Reserve at Lake Keowee Club
	<u>Location/Mailing Address:</u>	6405 Calhoun Memorial Parkway E.
		Easley, S.C. 29640
	<u>County:</u>	Pickens
	<u>Previous Orders:</u>	None
	<u>Permit/ID Number:</u>	N/A
	<u>Violations Cited:</u>	S.C. Code Ann. Regs. 61-51(B)(2)

Summary: Anchor Pools, Inc. (Respondent), located in Easley, South Carolina, is a licensed pool contractor. The Respondent has violated the Public Swimming Pools Regulation as follows: began construction on a public swimming pool prior to receiving a permit to construct.

Action: The Respondent has agreed to: comply with all pertinent State laws and regulations concerning public swimming pool construction and permitting and pay a civil penalty in the amount of two hundred eighty dollars **(\$280.00)**.

24) Order Type and Number: Consent Order 04-014-DW  
Order Date: February 4, 2004  
Respondent: **Kerry D. Drake**  
Facility: N/A  
Location/Mailing Address: 841 Edisto Avenue  
Aiken, S.C. 29801  
County: Aiken  
Previous Orders: None  
Permit/ID Number: N/A  
Violations Cited: S.C. Code Ann. Regs. 61-71(F)(2),  
(F)(8), (F)(11)(a), (F)(12), (F)(13)(c), and (F)(14)

Summary: Kerry D. Drake (Respondent) is involved in the business of well drilling in Aiken, South Carolina. The Respondent has violated the South Carolina Well Standards and Regulations as follows: failure to submit Well Record forms; failure to properly label wells with an identification plate; failure to install a sampling spigot; failure to install a sanitary seal; failure to properly abandon wells; and failure to properly grout wells.

Action: The Respondent has agreed to: comply with all pertinent State laws and regulations concerning well construction and permitting. A civil penalty in the amount of three thousand four hundred dollars **(\$3,400.00)** was **suspended** due to the Respondent's financial status.

25) Order Type and Number: Consent Order 04-018-DW  
Order Date: February 10, 2004  
Respondent: **Utilities Services of South Carolina**  
Facility: Arrowhead Shores  
Location/Mailing Address: P.O. Box 4509  
West Columbia, S.C. 29171  
County: Lexington  
Previous Orders: 01-209-DW Idlewood (\$2,800.00 stipulated); 00-204-W (\$4,600.00)  
Permit/ID Number: 3250036  
Violations Cited: S.C. Code Ann. Regs. 61-58.7

Summary: Utilities Services of South Carolina, Inc. (Respondent) located in West Columbia, South Carolina owns and is responsible for the operation and maintenance of a public water system (PWS). The Respondent has violated the State Primary Drinking Water Regulations as follows: failure to properly operate

and maintain the PWS by failing to supply an adequate quantity of water for the number of service connections provided.

Action: The Respondent has agreed to: operate and maintain the PWS in accordance with all applicable State and Federal laws and regulations; submit an application to construct a test well by February 15, 2004; within 45 days of written Department approval of the test well application, drill the test well and submit documentation of completion; within 60 days of completion, submit engineering plans and specifications with a final construction application for the final well and piping system; within 120 days of written Department approval of the final well permit, complete the project and obtain final approval to operate; and pay a **stipulated penalty** in the amount of three thousand dollars **(\$3,000.00)** if it fails to meet any deadline set forth in this Consent Order.

26)    Order Type and Number:                      Consent Order 04-019-DW  
       Order Date:                                      February 10, 2004  
       Respondent:                                      **Donna Burkett**  
       Facility:    State Park Grocery PWS  
       Location/Mailing Address:                      129 Park Avenue SW  
   Aiken, S.C. 29801  
       County:    Aiken  
       Previous Orders:                                      None  
       Permit/ID Number:                                      0270905  
       Violations Cited:                                      S.C. Code Ann. Regs. 61-30(G)(2)(i), S.C. Code Ann. Regs. 61-58.5(C)(2)(c); (F)(1)(b), (G)(1)(c); S.C. Code Ann. Regs. 61-58.6(E)(1); and S.C. Code Ann. Regs. 61-58.7(B)(1)

Summary: Donna Burkett (Respondent) d/b/a State Park Grocery PWS, owns and is responsible for the proper operation and maintenance of a PWS. The Respondent has violated the State Primary Drinking Water Regulations as follows: failure to properly operate and maintain the PWS; failure to monitor the system for nitrate and bacteriological contaminants during calendar year 2002; exceeded the maximum contaminant level for total coliform during the monitoring periods July 1, 2000 – September 30, 2000, October 1, 2000 – December 31, 2000 and October 1, 2002 – December 31, 2002; failure to issue public notification regarding nitrate and bacteriological contaminant violations; and failure to pay annual drinking water fees for fiscal years 2003 and 2004.

Action: The Respondent has agreed to: operate and maintain the PWS in accordance with all applicable State and Federal laws and regulations; within 30 days of the Order date, issue Public Notification (PN) and submit a copy of the PN to the Department; submit annual fees for fiscal years 2003 (\$343.75) and 2004 (\$343.75) in the amount of six hundred eighty-seven dollars and fifty cents (\$687.50); within 90 days of the Order date, develop a Business Plan to address the current and future needs of the PWS and submit it for Department approval;



27)	<u>Order Type and Number:</u>	Consent Order 04-022-DW
	<u>Order Date:</u>	February 17, 2004
	<u>Respondent:</u>	<b>Sylvia Tinsley</b>
	<u>Facility:</u>	Hollywood MHP #2 PWS
	<u>Location/Mailing Address:</u>	101 Hollywood Drive Piedmont, S.C. 29673
	<u>County:</u>	Anderson
	<u>Previous Orders:</u>	None
	<u>Permit/ID Number:</u>	0460024
	<u>Violations Cited:</u>	S.C. Code Ann. Regs. 61-58.5(C)(10)(c), (F)(1)(b), (G)(1)(a), (G)(2)(a) and 61-30(G)(2)(i)

**Action:** The Respondent has agreed to: operate and maintain the PWS in accordance with applicable State and Federal laws and regulations; within 90 days of the Order date, connect to the Powdersville Water District PWS; upon completion of the connection, contact the Appalachia I District Office to schedule an inspection prior to placing the system into operation; within 5 days of the connection to the Powdersville Water District PWS, submit, in writing, the proposed use for the existing well, which will be subject to Department approval; (should the Department not approve the proposed use for the existing well, the well must be permanently abandoned by a South Carolina licensed well driller within 5 days of written notification from the Department); within 30 days of the Order date, submit annual fees for fiscal years 2003 (\$1,240.25) and 2004 (\$1,240.25) totaling two thousand four hundred eighty dollars and fifty cents (\$2,480.50); and pay a **stipulated penalty** of twelve thousand dollars **(\$12,000.00)** if it fails to meet any deadline set forth in this Consent Order.

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	Camden, S.C. 29020
<u>County:</u>	Kershaw
<u>Previous Orders:</u>	02-003-DW (\$2,300.00)
<u>Permit/ID Number:</u>	N/A
<u>Violations Cited:</u>	S.C. Code Ann. Regs. 61-71

Summary: Theodore L. Brown, Sr. (Respondent) is involved in the business of well drilling. The Respondent has violated the State Primary Drinking Water Regulations as follows: failed to properly grout, seal, identify, and submit necessary record forms notifying the Department of the installation and abandonment of several wells.

Action: The Respondent has agreed to: cease the practice of installing wells in South Carolina that do not meet minimum requirements and comply with all pertinent State laws and regulations concerning well construction and permitting; within 30 days of the Order date, place identification plates on the Springs and Goodson wells and properly grout the Goodson well (prior to performing the grout remediation of the Goodson well, contact the Wateree EQC District Office to schedule an appointment for a Department representative to be present to observe the grouting of the well); within 30 days of the Order date, submit a copy of the completed water well record from the abandonment of the Hastings well and for the installation of the McDonald well; and pay a **suspended civil penalty** of twenty thousand, two hundred fifty dollars **(\$20,250.00)** if the Respondent commits a violation within 3 years of the Order date.

29)	<u>Order Type and Number:</u>	Consent Order 04-026-DW
	<u>Order Date:</u>	February 24, 2004
	<u>Respondent:</u>	<b>Charles R. Walters</b>
	<u>Facility:</u>	N/A
	<u>Location/Mailing Address:</u>	2178 Kent Road Georgetown, S.C. 29440
	<u>County:</u>	Georgetown
	<u>Previous Orders:</u>	None
	<u>Permit/ID Number:</u>	N/A
	<u>Violations Cited:</u>	S.C. Code Ann. Regs. 61-58.2(B), .2 (B)(3)(a), .2 (B)(6)(d), .2 (B)(6)(e)

Summary: Charles R. Walters (Respondent) is involved in the business of installing and repairing pumps and irrigation systems. The Respondent has violated the State Primary Drinking Water Regulations as follows: constructed a PWS well as an uncertified well driller; failed to properly label a well with an identification plate; failed to construct a concrete pad around a well; and failed to meet the minimum pollution free radius adjacent to a well.

Action: The Respondent has agreed to: comply with all pertinent State laws and regulations concerning well construction and permitting; within 30 days of the Order date, contact the Waccamaw District Office to schedule the proper well abandonment; and pay a civil penalty in the amount of two thousand eight hundred dollars **(\$2,800.00)** in quarterly installments.

### **Water Pollution Enforcement**

30) Order Type and Number: Consent Order 04-003-W  
Order Date: January 9, 2004  
Respondent: **Timm Creek, L.L.C.**  
Facility: Timm Creek Development  
Location/Mailing Address: P.O. Box 2705  
Spartanburg, S.C. 29304  
County: Spartanburg  
Previous Orders: None  
Permit/ID Number: None  
Violations Cited: S.C. Code Ann. § 48-1-90(a)

Summary: Timm Creek, L.L.C. (Respondent), located in Spartanburg, South Carolina, is responsible for development and construction activities in the Timm Creek Development. The Respondent has violated the Pollution Control Act as follows: discharged sediment into waters of the State.

Action: The Respondent has agreed to: comply with all permitting and operating requirements in accordance with State and Federal regulations; within 30 days of the Order date, submit an application for a general storm water permit; and pay a civil penalty in the amount of six thousand dollars **(\$6,000.00)** in quarterly payments.

31) Order Type and Number: Consent Order 04-006-W  
Order Date: January 29, 2004  
Respondent: **City of Anderson**  
Facility: Generostee Creek WWTF  
Location/Mailing Address: 401 South Main Street  
Anderson, S.C. 29624  
County: Anderson County  
Previous Orders: 99-168-W (\$6,000.00)  
00-230-W (\$6,500.00)  
02-006-W (\$0).  
Permit/ID Number: SC0023752  
Violations Cited: S.C. Code Ann. § 48-1-110(d), S.C. Code Ann. Regs. 61-9.122.41(a)(1) and (j)(3)

Summary: The City of Anderson (Respondent), located in Anderson, South Carolina, owns and is responsible for the proper operation and maintenance of a wastewater treatment facility (WWTF). The Respondent has violated the Pollution Control Act and Water Pollution Control Permits as follows: failure to meet NPDES Permit limits for fecal coliform bacteria and failure to submit administratively complete discharge monitoring reports (DMRs).

Action: The Respondent has agreed to: comply with all applicable State and Federal regulations; submit a summary of corrective actions addressing the submittal of administratively complete DMRs; submit a summary of corrective actions taken to address inflow/infiltration (I/I), a copy of the I/I study, and a project completion date for the I/I corrective actions already being taken; and within 30 days of the Order date, pay a civil penalty in the amount of one thousand four hundred dollars (**\$1,400.00**). The civil penalty has been paid.

32)    Order Type and Number:                      Consent Order 04-010-W  
         Order Date:                                      January 29, 2004  
         Respondent:                                      **Look Up Forest Home Owners Association, Inc.**  
         Facility:    Look Up Forest Subdivision WWTF  
         Location/Mailing Address:                      5 Northslope View Drive  
            Landrum, S.C. 29356  
         County:    Greenville  
         Previous Orders:                                      None  
         Permit/ID Number:                                      SC0026379  
         Violations Cited:                                      S.C. Code Ann. § 48-1-110(d), S.C.  
         Code Ann. Regs. 61-9.122.41(a)(1)

Summary: Look Up Forest Home Owners Association, Inc. (Respondent), located in Greenville, South Carolina, owns and is responsible for the proper operation and maintenance of a WWTF. The Respondent has violated the Pollution Control Act and Water Pollution Control Permits Regulation as follows: failure to meet NPDES Permit limits for fecal coliform bacteria, ammonia-nitrogen (NH<sub>3</sub>-N), biochemical oxygen demand (BOD), and flow in conduit.

Action: The Respondent has agreed to: comply with all applicable State and Federal regulations; and submit a preliminary engineering report (PER) addressing the upgrade of the WWTF with a schedule. Due to financial inability to pay, the civil penalty in the amount of five thousand six hundred dollars (**\$5,600.00**) was **suspended** pending compliance with the order requirements.

33)    Order Type and Number:                      Consent Order 04-013-W  
         Order Date:                                      February 4, 2004  
         Respondent:                                      **The Village at Lake Wylie, L.L.C.**  
         Facility:    The Village at Lake Wylie  
         Location/Mailing Address:                      11 Cranston Way

Clover, S.C. 29170  
County: York  
Previous Orders: None  
Permit/ID Number: SCR104434  
Violations Cited: S.C. Code Ann. § 48-1-90(a) and  
S.C. Code Ann. Regs. 61-9.122.41(a)

Summary: The Village at Lake Wylie, L.L.C. (Respondent) owns and is responsible for land disturbing activities at The Village at Lake Wylie (Site). The Respondent has violated the Pollution Control Act as follows: discharged sediment into waters of the State; and the Respondent violated Water Pollution Control Permits, in that it failed to operate and maintain the Site in accordance with its NPDES Permit.

Action: The Respondent has agreed to: comply with all permitting and operating requirements in accordance with State and Federal regulations; within 30 days of the Order date pay one thousand seven hundred and fifty dollars (\$1,750.00) of the seven thousand dollar **(\$7,000.00)** civil penalty, with the remaining payments due quarterly.

34) Order Type and Number: Consent Order 04-015-W  
Order Date: February 3, 2004  
Respondent: **Town of Calhoun Falls**  
Facility: Calhoun Falls WWTF  
Location/Mailing Address: P.O. Box 246  
Calhoun Falls, S.C. 29628  
County: Abbeville  
Previous Orders: 97-113-W (\$23,000.00)  
Permit/ID Number: SC0025721  
Violations Cited: S.C. Code Ann. § 48-1-50(3)

Summary: The Town of Calhoun Falls (Respondent), located in Calhoun Falls, South Carolina, owns and is responsible for the proper operation and maintenance of a wastewater treatment facility (WWTF). The Respondent has violated the Pollution Control Act as follows: failed to meet NPDES permit limits for ammonia, biochemical oxygen demand (BOD), total suspended solids (TSS) and fecal coliform.

Action: The Respondent has agreed to: comply with all permitting and operating requirements in accordance with State and Federal regulations and complete all construction activities required under Consent Order 97-113-W.

35) Order Type and Number: Consent Order 04-016-W  
Order Date: February 3, 2004  
Respondent: **Dazzle Carwash Corporation, Inc.**  
Facility: Dazzle Carwash

Location/Mailing Address: 1516 A Bypass 72 NE  
Greenwood, S.C. 29649  
County: Greenwood  
Previous Orders: None  
Permit/ID Number: N/A  
Violations Cited: S.C. Code Ann. § 48-1-90(a) and  
S.C. Code Ann. Regs. 61-68.G.10(b)

Summary: Dazzle Carwash Corporation, Inc. (Respondent), located in Greenwood, South Carolina, owns and is responsible for the proper operation and maintenance of a car wash facility. The Respondent has violated the Pollution Control Act and Water Classifications and Standards as follows: allowed unauthorized discharge of sediments and other debris into waters of the State.

Action: The Respondent has agreed to: dispose of all sediments and other debris from the catch basins in accordance with State and Federal regulations; submit 3 copies of the Standard Operating Procedure (SOP) and Best Management Practice manual (BMP) to be utilized by the Respondent and its employees to ensure proper handling of sediments and other debris; submit a letter of acceptance from a disposal facility permitted to receive the type waste products produced at the car wash; and submit quarterly reports to include disposal records indicating that all sediments and debris went to the approved facility. A civil penalty in the amount of four thousand two hundred dollars **(\$4,200.00)** was **suspended** due to a financial inability to pay pending completion of all other Order requirements.

36) Order Type and Number: Consent Order 04-017-W  
Order Date: February 10, 2004  
Respondent: **Newberry County Water & Sewer Authority**  
Facility: WWTF #1  
Location/Mailing Address: 13903 CR Koon Highway  
Newberry, S.C. 29108  
County: Newberry  
Previous Orders: 02-200-W (\$5,600.00)  
02-242-W (\$4,200.00)  
Permit/ID Number: SC0040860  
Violations Cited: S.C. Code Ann. § 48-1-110(d) and  
S.C. Code Ann. Regs. 61-9.122.41(a)(1)

Summary: Newberry County Water & Sewer Authority (Respondent), located in Newberry, South Carolina, owns and is responsible for the proper operation and maintenance of a WWTF. The Respondent violated the Pollution Control Act and the Water Pollution Control Permit Regulations as follows: failure to comply with the permitted discharge limit for acute toxicity, chronic toxicity and BOD percent removal.

Action: The Respondent has agreed to: submit plans, specifications and an application for a construction permit addressing connection to a regional sewer by April 1, 2004; eliminate the discharge by October 1, 2005; and within 30 days of the Order date, pay a civil penalty in the amount of nine thousand eight hundred dollars (**\$9,800.00**).

37)    Order Type and Number:                      Consent Order 04-020-W  
       Order Date:                                      February 10, 2004  
       Respondent:                                      **Lexington County**  
       Facility:     Edmund Landfill  
       Location/Mailing Address:                      498 Landfill Lane  
   Lexington, S.C. 29073  
       County:     Lexington  
       Previous Orders:                                      03-091-W (\$4,200.00)  
       Permit/ID Number:                                      SC0045110  
       Violations Cited:                                      S.C. Code Ann. § 48-1-110(d) and  
   S.C. Code Ann. Regs. 61-9.122.41(a)(1)

Summary: Lexington County (Respondent) owns and is responsible for a sedimentation pond serving the Edmund Landfill, a former municipal solid waste landfill. The Respondent violated the Pollution Control Act and the Water Pollution Control Permit Regulations as follows: failure to comply with the permitted discharge limit for oil and grease.

Action: The Respondent has agreed to: within 60 days of the Order date, submit a Corrective Action Plan (CAP) addressing compliance with oil and grease limits; and within 30 days of the Order date, pay a civil penalty in the amount of six thousand dollars (**\$6,000.00**).

38)    Order Type and Number:                      Consent Order 04-023-W  
       Order Date:                                      January 29, 2004  
       Respondent:                                      **Lorris Environmental, Inc.**  
       Facility:     N/A  
       Location/Mailing Address:                      P.O. Box 690  
   Mount Pleasant, S.C. 29465  
       County:     Richland  
       Previous Orders:                                      None  
       Permit/ID Number:                                      N/A  
       Violations Cited:                                      S.C. Code Ann. § 48-1-90(a)

Summary: Lorris Environmental, Inc. (Respondent) is an environmental consulting firm responsible for hiring a well driller to install groundwater monitoring wells located in the former Target parking lot on Decker Boulevard. The Respondent violated the Pollution Control Act as follows: allowed investigative derived waste (IDW) to be discharged into the environment.

Action: The Respondent has agreed to: submit a SOP by March 15, 2004; and pay a civil penalty in the amount of one thousand four hundred dollars (**\$1,400.00**) by March 15, 2004.

39) Order Type and Number: Consent Order 04-029-W  
Order Date: February 26, 2004  
Respondent: **Beaufort-Jasper Water and Sewer Authority**  
Facility: Cherry Point-Okatie WWTF  
Location/Mailing Address: P.O. Box 2149  
Beaufort, S.C. 29901  
County: Beaufort  
Previous Orders: 01-272-W (\$8,400.00); 03-038-W (\$4,200.00)  
Permit/ID Number: SC0047279  
Violations Cited: S.C. Code Ann. § 48-1-110(d) and S.C. Code Ann. Regs. 61-9.122.41(a)

Summary: Beaufort-Jasper Water & Sewer Authority (Respondent), located in Beaufort, South Carolina, owns and is responsible for the proper operation and maintenance of a WWTF. The Respondent has violated the Pollution Control Act and Water Pollution Control permits as follows: failure to comply with the effluent limits of the NPDES Permit for copper and chronic toxicity.

Action: The Respondent has agreed to: submit a CAP detailing SOPs and BMPs that will be implemented to prevent future effluent violations and pay a civil penalty in the amount of four thousand two hundred dollars (**\$4,200.00**).

### **BUREAU OF AIR QUALITY**

40) Order Type and Number: Consent Order 04-001-A  
Order Date: January 14, 2004  
Respondent: **DPC General Contractors, Inc.**  
Facility: DPC General Contractors, Inc.  
Location/Mailing Address: 250 Arizona Ave. NE, Bldg. A  
Atlanta, GA 30307  
County: Richland  
Previous Orders: None  
Permit/ID Number: N/A  
Violations Cited: South Carolina Air Pollution Control Regulation 61-86.1, Standards of Performance for Asbestos Projects



Summary: DPC General Contractors, Inc. (Respondent), is an asbestos abatement contractor licensed by the Department on May 14, 2003. During the abatement of regulated asbestos-containing material (RACM) at the University of South Carolina's Jones Physical Science Building located at 712 Main Street in Columbia, South Carolina, the Respondent violated South Carolina Air Pollution Control Regulation 61-86.1, Standards of Performance for Asbestos Projects, as follows: failure to shut down, lock and tag all heating, ventilating and air conditioning (HVAC) equipment in or passing through the work area; failure to seal all intake and exhaust openings and any seams in system components with two sheets of 6-millimeter (mil) polyethylene and tape; failure to cover walls and ceilings not being abated with at least one sheet of 4-mil or thicker polyethylene sheeting; and failure to provide hot and cold or warm running water in the decontamination shower.

Action: The Respondent has agreed to: henceforth shut down, lock and tag all HVAC equipment in or passing through the work area, and seal all intake and exhaust openings and any seams in system components with two sheets of 6-mil polyethylene and tape; cover all walls and ceilings not being abated with at least one sheet of 4-mil or thicker polyethylene sheeting; construct a decontamination enclosure system with a shower room with hot and cold or warm running water controllable at the tap; and pay a civil penalty in the amount of ten thousand dollars (**\$10,000.00**).

41)	<u>Order Type and Number:</u>	Consent Order 04-002-A
	<u>Order Date:</u>	February 10, 2004
	<u>Respondent:</u>	<b>Patten Grading &amp; Paving, Inc.</b>
	<u>Facility:</u>	Patten Grading & Paving, Inc.
	<u>Location/Mailing Address:</u>	141 Farr's Bridge Road Pickens, SC 29671
	<u>County:</u>	Pickens
	<u>Previous Orders:</u>	None
	<u>Permit/ID Number:</u>	N/A
	<u>Violations Cited:</u>	South Carolina Air Pollution Control Regulation 61-86.1, <u>Standards of Performance for Asbestos Projects</u>

Summary: Patten Grading & Paving, Inc. (Respondent), located in Pickens, South Carolina, is a grading and paving company. The Respondent violated South Carolina Air Pollution Control Regulation 61-86.1, Standards of Performance for Asbestos Projects, as follows: failure to ensure that asbestos-containing material (ACM) was removed in accordance with the regulation prior to beginning demolition of two buildings, and failure to ensure that regulated ACM (RACM) was disposed of in accordance with the regulation.

Action: The Respondent has agreed to: henceforth ensure that ACM which is likely to become RACM during demolition is properly removed prior to demolishing any building or structure; henceforth ensure that RACM is properly

42)	<u>Order Type and Number:</u>	Consent Order 04-003-A
	<u>Order Date:</u>	February 3, 2004
	<u>Respondent:</u>	<b>Frank Harris</b>
	<u>Facility:</u>	Environmental Management Services, Inc.
	<u>Location/Mailing Address:</u>	7921 Cross Country Road Charleston, SC 29418
	<u>County:</u>	Charleston
	<u>Previous Orders:</u>	99-092-A, (\$12,000)
	<u>Permit/ID Number:</u>	N/A
	<u>Violations Cited:</u>	South Carolina Air Pollution Control Regulation 61-86.1, Section IV.C.3.a, <u>Standards of Performance for Asbestos Projects.</u>

**Action:** The Respondent has agreed to: ensure that all workers meet applicable training and licensing requirements prior to participating in asbestos abatement projects; and pay a civil penalty in the amount of one thousand five hundred dollars **(\$1,500.00)**.

43)	<u>Order Type and Number:</u> <u>Order Date:</u> <u>Respondent:</u> <u>Facility:</u> <u>Location/Mailing Address:</u>  <u>County:</u> <u>Previous Orders:</u> <u>Permit/ID Number:</u> <u>Violations Cited:</u> Regulation 61-62.2, Prohibition of Open Burning	Consent Order 04-004-A February 26, 2004 <b>Sox &amp; Sons Construction Co., Inc.</b> Sox & Sons Construction Co., Inc. 3000 Hookdale Road West Columbia, SC 29170 Richland None N/A South Carolina Air Pollution Control
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Action: The Respondent has agreed to cease open burning except as in compliance with South Carolina Air Pollution Control Regulations, and pay a civil penalty in the amount of three thousand five hundred dollars **(\$3,500.00)**. The civil penalty has been paid.

44) Order Type and Number: Consent Order 04-006-A  
Order Date: February 26, 2004  
Respondent: **Mr. Bob Hammond**  
Facility: Bob Hammond, d/b/a  
Bob Hammond Construction, Inc.,  
d/b/a Bob Hammond Wood  
Recycling  
Location/Mailing Address: P.O. Box 1857  
Moncks Corner, SC 29461  
County: Dorchester  
Previous Orders: None  
Permit/ID Number: N/A  
Violations Cited: South Carolina Air Pollution Control  
Regulation 61-62.2, Prohibition of Open Burning.

Summary: Mr. Bob Hammond (Respondent) operates a construction company in Moncks Corner, South Carolina, which specializes in land clearing, grading, wood chipping, and wood recycling. The Respondent violated S.C. Air Pollution Control Regulation 61-62.2, in that it burned land-clearing debris within 1,000 feet of a residence.

Action: The Respondent has agreed to: cease open burning except as in compliance with Department open-burning regulations; and pay a civil penalty in the amount of two thousand eight hundred dollars **(\$2,800.00)**. The penalty is due on March 29, 2004.